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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,934	12/27/2000	Kurt L. Arehart		2058

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PRIEST & GOLDSTEIN PLLC
5015 SOUTHPARK DRIVE
SUITE 230
DURHAM, NC 27713-7736

EXAMINER	
GRAHAM, CLEMENT B	
ART UNIT	**PAPER NUMBER**
3628	

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/748,934	AREHART, KURT L.	
	Examiner	Art Unit	
	Clement B Graham	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *October 4, 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-24 remained pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action: (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in Graham v. John Deere Co., 148 USPQ 459, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or unobviousness.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan et al (Hereinafter Ryan U.S. Patent No. 5,673,402) in view of Kishimoto J.P 07287701 A in further view of Gould et al (Hereinafter Gould U.S. Patent No. 5,966,700) in further view of Eder U.S Patent 6393406.

As per claims 1, 3, 5-6, 21, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes information regarding life insurance, mortgage information, actuarial information, insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. To assist the user in entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central

processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10).
Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35).
Ryan et al does not explicitly state calculating a maximum dollar amount of a house purchase price that the borrower can afford, based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.
However Kishimoto discloses calculating a maximum dollar amount of a house purchase price that the borrower can afford .(Note abstract and see paragraph 0012-0015).
Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.
However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).
Ryan, Kishimoto and Gould fails to teach maximizing future home equity.
However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).
Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible

assets.

As per claims 2, 4, Ryan et al discloses the system also provides many tables for product-specific data such as mortality tables, expense charges, interest rates, and other insurance related data. These tables can be used to store the different components of the carriers' products. The system can use front-end network gateways to connect multiple carriers' computers to the Digital Computer. (See column 23 lines 20-35 of Ryan et al). Ryan et al 's system is also applicable to the Internet.

As per claims 7-8, Ryan, Kishimoto and Gould fails to teach calculating the projected future home equity for years one through ten .
However Eder discloses forecasting future equity for each year.(see column 1 lines 15-25 and column 9 lines 5-10 and column 15 lines 45-65).
Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made that the teachings of Ryan, Kishimoto and Gould modify to include calculating the projected future home equity for years one through ten taught by Eder in order to forecast home equity for given periods of time to determine a result.

As per claims 9, 11, 13-14, 22, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes information regarding life insurance, mortgage information, actuarial information, insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. Plural terminals are provided for communicating with the central processing unit, each terminal having input means, such as a keyboard, and a display, such as a cathode ray tube (CRT) or a video display terminal (VDT). Each terminal is operable by a user to produce requests and to enter information and/or retrieve information for writing into and/or reading from the database via the central processing unit. The central processing unit provides a means for enabling access to the database in response to predetermined information entered at the terminal by the user and is suitably programmed to recognize particular authorizations. In accordance with one desirable aspect of the invention, information regarding a life to be insured and other data needed to provide illustrations of a

mortgage using life insurance as collateral for that individual is keyed into the central processing unit by a system user using a keyboard at a video display terminal. To assist the user in entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10 of Ryan et al). Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35). Ryan fails to teach teach calculating a maximum dollar amount of a house purchase price that a borrower can afford, based upon an optimal loan to value ratio achievable using mortgage insurance that maximizes future home equity and calculating a maximum dollar amount of a house purchase price that a borrower can afford without using mortgage insurance.

However Kishimoto discloses calculating a maximum dollar amount of a house purchase price that the borrower can afford .(Note abstract and see paragraph 0012-0015).
Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.
However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).
However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).
Examiner submits that it would have been obvious that a system that calculates the maximum dollar, based upon an optimal loan to value ratio, using mortgage insurance could have perform such a calculation without using mortgage insurance.
Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible assets.

As per claims 10, 12, Ryan et al discloses the system can be designed so that the same computer can be used to provide product illustrations for the insurance products of different carriers the system offers maximum flexibility so that it may accommodate virtually any life insurance policy and/or annuity. In a preferred embodiment of the invention, the system also provides many tables for product-specific data such as mortality tables, expense charges, interest rates, and other insurance related data. These tables can be used to store the different components of the carriers' products. Product specific "flags" or identifiers in the insurance computation formulas can be used to provide maximum flexibility in the way the system makes insurance computations. This allows the system to offer a method of customizing computations that are common to all life insurance products. This feature also makes it possible for a single computer to efficiently provide multiple life insurance product illustrations for multiple life insurance carriers the system can use front-end network gateways to

connect multiple carriers' computers to the Digital Computer the computer to a remote website for downloading software components and mortgage insurance information. (Note abstract and see column 23 lines 20-35 and column 7 lines 30-65 and column 8 lines 5-10).

As per claims 15-16, Ryan, Kishimoto and Gould fails to teach calculating the projected future home equity for years one through ten .
However Eder discloses forecasting future equity for each year.(see column 1 lines 15-25 and column 9 lines 5-10 and column 15 lines 45-65).
Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made that the teachings of Ryan, Kishimoto and Gould modify to include calculating the projected future home equity for years one through ten taught by Eder in order to forecast home equity for given periods of time to determine a result.

As per claims 17-20, It would have been obvious to one of ordinary skill in the art at the time the invention was made reviewing calculator assumptions and accessing background information on each variable and making changes to model assumptions are common functions in the art. The benefit would have been to review the calculated assumption and accessing each variable further making changes to the model assumptions.

As per claim 23, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes information regarding life insurance, mortgage information, actuarial information, insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. To assist the user entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health

status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10 of Ryan et al). Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35). Ryan et al do not explicitly state calculating a maximum dollar amount of a house purchase price that the borrower can afford based upon an optimal loan-to-value ratio, achievable using mortgage insurance that maximizes future home equity.

However Kishimoto discloses calculating a maximum dollar amount of a house purchase price that the borrower can afford .(Note abstract and see paragraph 0012-0015).

Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.

However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).

Ryan and Kishimoto and Gould fails to teach maximizing future home equity.

However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible assets.

As per claim 24, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes information regarding life insurance, mortgage information, actuarial information, insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. To assist the user in entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and

processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10 of Ryan et al). Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35). Ryan et al do not explicitly state calculating a maximum dollar amount of a house purchase price that the borrower can afford based upon an optimal loan-to-value-ratio achievable using mortgage insurance, that maximizes future home equity.

However Kishimoto discloses calculating a maximum dollar amount of a house purchase price that the borrower can afford .(Note abstract and see paragraph 0012-0015).

Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.

However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).

Ryan and Kishimoto and Gould fails to teach maximizing future home equity.

However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible assets.

CONCLUSION

Response to Arguments

5. Applicant's arguments files on 9/04/04 have been fully considered but they are not persuasive for the following reasons.

6. In response to applicant's arguments regarding Ryan, Kishimoto and Gould.

In response to Applicant's arguments that the prior art of reference fail to teach the claimed invention these limitation are addressed above as stated.

7. claims 1, 3, 5-6, 21, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes

information regarding life insurance, mortgage information, actuarial information, insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. To assist the user in entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10).
Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35). Ryan et al does not explicitly state calculating a maximum dollar amount of a house purchase price that the borrower can afford, based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.
However Kishimoto discloses calculating a maximum dollar amount of a house purchase price

that the borrower can afford .(Note abstract and see paragraph 0012-0015).
Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.
However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).
Ryan, Kishimoto and Gould fails to teach maximizing future home equity.
However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).
Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible assets.

claims 2, 4, Ryan et al discloses the system also provides many tables for product-specific data such as mortality tables, expense charges, interest rates, and other insurance related data. These tables can be used to store the different components of the carriers' products. The system can use front-end network gateways to connect multiple carriers' computers to the Digital Computer. (See column 23 lines 20-35 of Ryan et al). Ryan et al 's system is also applicable to the Internet. claims 7-8, Ryan, Kishimoto and Gould fails to teach calculating the projected future home equity for years one through ten .
However Eder discloses forecasting future equity for each year.(see column 1 lines 15-25 and column 9 lines 5-10 and column 15 lines 45-65).
Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made that the teachings of Ryan, Kishimoto and Gould modify to include calculating the projected future home equity for years one through ten taught by Eder in order to forecast home equity for given periods of time to determine a result.

claims 9, 11, 13-14, 22, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes information regarding life insurance, mortgage information, actuarial information,

insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. Plural terminals are provided for communicating with the central processing unit, each terminal having input means, such as a keyboard, and a display, such as a cathode ray tube (CRT) or a video display terminal (VDT). Each terminal is operable by a user to produce requests and to enter information and/or retrieve information for writing into and/or reading from the database via the central processing unit. The central processing unit provides a means for enabling access to the database in response to predetermined information entered at the terminal by the user and is suitably programmed to recognize particular authorizations. In accordance with one desirable aspect of the invention, information regarding a life to be insured and other data needed to provide illustrations of a mortgage using life insurance as collateral for that individual is keyed into the central processing unit by a system user using a keyboard at a video display terminal. To assist the user in entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan

related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10 of Ryan et al). Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35). Ryan fails to teach teach calculating a maximum dollar amount of a house purchase price that a borrower can afford, based upon an optimal loan to value ratio achievable using mortgage insurance that maximizes future home equity and calculating a maximum dollar amount of a house purchase price that a borrower can afford without using mortgage insurance.

However Kishimoto discloses calculating a maximum dollar amount of a house purchase price that the borrower can afford .(Note abstract and see paragraph 0012-0015).

Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.

However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).

However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).

Examiner submits that it would have been obvious that a system that calculates the maximum dollar, based upon an optimal loan to value ratio, using mortgage insurance could have perform such a calculation without using mortgage insurance.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible assets.

claims 10, 12, Ryan et al discloses the system can be designed so that the same computer can be used to provide product illustrations for the insurance products of different carriers the system offers maximum flexibility so that it may accommodate virtually any life insurance policy and/or annuity. In a preferred

embodiment of the invention, the system also provides many tables for product-specific data such as mortality tables, expense charges, interest rates, and other insurance related data. These tables can be used to store the different components of the carriers' products. Product specific "flags" or identifiers in the insurance computation formulas can be used to provide maximum flexibility in the way the system makes insurance computations. This allows the system to offer a method of customizing computations that are common to all life insurance products. This feature also makes it possible for a single computer to efficiently provide multiple life insurance product illustrations for multiple life insurance carriers the system can use front-end network gateways to connect multiple carriers' computers to the Digital Computer the computer to a remote website for downloading software components and mortgage insurance information. (Note abstract and see column 23 lines 20-35 and column 7 lines 30-65 and column 8 lines 5-10).

claims 15-16, Ryan, Kishimoto and Gould fails to teach calculating the projected future home equity for years one through ten .
However Eder discloses forecasting future equity for each year.(see column 1 lines 15-25 and column 9 lines 5-10 and column 15 lines 45-65).
Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made that the teachings of Ryan, Kishimoto and Gould modify to include calculating the projected future home equity for years one through ten taught by Eder in order to forecast home equity for given periods of time to determine a result.

claims 17-20, It would have been obvious to one of ordinary skill in the art at the time the invention was made reviewing calculator assumptions and accessing background information on each variable and making changes to model assumptions are common functions in the art. The benefit would have been to review the calculated assumption and accessing each variable further making changes to the model assumptions.

claim 23, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes

information regarding life insurance, mortgage information, actuarial information, insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. To assist the user in entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10 of Ryan et al). Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35). Ryan et al do not explicitly state calculating a maximum dollar amount of a house purchase price that the borrower can afford based upon an optimal loan-to-value ratio, achievable using mortgage insurance that maximizes future home equity.

However Kishimoto discloses calculating a maximum dollar amount of a house purchase price that the borrower can afford .(Note abstract and see paragraph 0012-0015).

Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.

However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).

Ryan and Kishimoto and Gould fails to teach maximizing future home equity.

However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible assets.

claim 24, Ryan et al discloses a central processing unit in a digital computer is at the heart of the system. The central processing unit can access a database into which data is written and from which data is read. That data includes information regarding life insurance, mortgage information, actuarial information, insurance premium information, and predetermined text data for incorporation into the combined mortgage and insurance illustrations. To assist the user in entering the appropriate data, a series of data comprising a "form" is displayed on the user's terminal by the central processing unit, and the user will normally proceed to enter pertinent information in the blanks provided. This information constitutes such things as the potential borrower's name and address, the amount of the mortgage requested, the amount of life insurance coverage required, the individual's personal tax rate, the number of points required by the lending institution, the individual's age, sex, and health status, and any other information necessary in providing an illustration of a mortgage using life insurance as collateral. This information is correlated via the central processing unit, resulting in the generation of premium quotation and mortgage illustration information. This information is then displayed at the user's terminal and can

be printed out on the user's printer. Thus, in a matter of minutes, a prospective applicant is apprised of information pertinent to the mortgage such as (but not limited to) what the up-front payment and monthly payments would be for the mortgage if life insurance is used as collateral. Once data called for by the "form" is entered into the computer system at the user's keyboard, a client information file or database record (hereinafter "client file") is established which will be variously updated as the user conducts sensitivity analyses of the impact of different insurance and loan related assumptions on the ultimate amount of the up-front payment and the mortgage. Once the prospective applicant decides to apply for a life insurance policy and loan, a final version of the illustration is saved by the user in a master database file for later retrieval and processing.(Note abstract and see column 7 lines 30-65 and column 8 lines 5-10 of Ryan et al). Ryan disclose a computer is programmed to make calculations of loan and insurance values. (See column 18 lines 25-35). Ryan et al do not explicitly state calculating a maximum dollar amount of a house purchase price that the borrower can afford based upon an optimal loan-to-value-ratio achievable using mortgage insurance, that maximizes future home equity.

However Kishimoto discloses calculating a maximum dollar amount of a house purchase price that the borrower can afford .(Note abstract and see paragraph 0012-0015).

Ryan and Kishimoto fails to teach based upon an optimal loan to value ratio, using mortgage insurance maximizing future home equity.

However Gould discloses based upon an optimal loan to value ratio, using mortgage insurance. (See column 6 lines 25-65).

Ryan and Kishimoto and Gould fails to teach maximizing future home equity.

However Eder discloses maximizing future home equity.(Note abstract and see column 1 lines 40-60 and column 10 lines 25-45).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ryan, Kishimoto and Gould to include maximizing future home equity taught by could in order for the valuing of intangible assets.

It would have been obvious that the above teachings would have clearly indicate a system that can be used for optimizing the use of mortgage insurance based upon projections of future home equity.

7. In response to applicant's arguments that Examiner findings of obviousness contrary to law.

The Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071,5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The rationale to modify or combine the prior art does not have to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). See also In re Eli Lilli & Co., 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990) (discussion of reliance on legal precedent); In re Nilssen, 851 F.2d 1401, 7USPQ2d 1500 (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); Ex parte Clapp, 227 USPQ 972 (Bd. Pat. App & Inter); and Es parte

Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

Also in reference to Ex parte Levengood, 28 USPQ2d, 1301, the court stated that "Obviousness is a legal conclusion, the determination of which is a question of patent law. Motivation for combining the teachings of the various references need not to explicitly found in the reference themselves, In re Keller, 642 F.2d 413, 208USPQ 871 (CCPA 1981). Indeed, the Examiner may provide an explanation based on logic and sound scientific reasoning that will support a holding of obviousness. In re Soli, 317 F.2d 941 137 USPQ 797 (CCPA 1963)."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

FRANTZY POINVIL,
PRIMARY EXAMINER
AU 3628

CG
Oct 04, 2004